

REMARKS

Claims 1-7 are pending in this application. Claims 1-7 stand rejected. By this Amendment, claims 1 and 2 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Figure 4 has been objected to due to a typographical error. Applicant has revised Figure 4 as included herewith. No new matter has been added. Applicant has amended the word “chage” to “change”. As such, Applicant respectfully requests withdrawal of this objection.

Applicant has amended the title in light of the Examiner’s objection. Further, Applicant has corrected the typographical error on page 3 of the specification. No new matter has been added. As such, Applicant respectfully requests that the objections to the specification be withdrawn.

Claims 1-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,011,973 (“Valentine”). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See,

PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claims 1 and 2 not present in the cited reference is that when said operation setting does not exist both in the terminal and the management center, said operation setting is returned to a normal setting (initial setting) of said mobile communication terminal”.

Valentine discloses two different embodiments. In a first embodiment, an onboard memory which is either preprogrammed or downloaded from a cellular network, contains information regarding the authorization of the handset to work at the present geographical location. In a second embodiment, a cellular telephone transmits its location to the base station. The base station then retrieves and transmits an authorization signal allowing operation of the cellular telephone in a given area. However, the cellular telephone does not reset its operation setting until the base station transmits a retransmission parameter indicating that the cellular telephone is allowed to transmit. See column 3, lines 22-25. As such, Valentine fails to disclose that when the operation setting does not exist in both its own terminal and the management center, the operation setting is returned to a normal setting.

Claims 3-7 depend from, and contain all the limitations of claim 2. These dependent claims also recite additional limitations which, in combination with the limitations of claim 2, are neither disclosed nor suggested by Valentine and are also believed to be directed towards the patentable subject matter. Thus, claims 3-7 should also be allowed.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No.: 09/992,646

Docket No.: M1909.0156/P156

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By 

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